

## REMARKS


Claim 1 was rejected over the combination of two prior Murthy patents. The Murthy '556 patent, for example, issued after the present application was filed. The application and the reference were, at the time the invention was made, owned by, or subject to an obligation of assignment to, the same person.

Since the '556 reference could only be applied under Section 102(e), it is no longer prior art pursuant to 35 U.S.C. § 103(c) in view of the common ownership. The same may be said of the '498 Murthy patent.

In view of these remarks, the application is now in condition for allowance and the Examiner's prompt action in accordance therewith is respectfully requested.

Respectfully submitted,

Date: June 22, 2005

  
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